

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 031-12 414 E. ALAMAR AVENUE MODIFICATIONS AUGUST 8, 2012

## APPLICATION OF JUNE PUJO, AGENT FOR PATRICIA FIEDLER HAHN TRUST, 414 E. ALAMAR AVENUE, APN 053-201-015, E-3 SINGLE FAMILY RESIDENTIAL ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MST2011-00183)

Proposal for as-built revisions to an approved garden /privacy wall and entry pillars with a height of up to 6.5 feet. The discretionary application required for this project is a <u>Modification</u> to allow a wall and pillars to exceed 3.5 feet within 10 feet of the side of a driveway when located within 20 feet of the front property line (SBMC §28.87.170 & §28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 (Existing Facilities).

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak either in favor or in opposition of the application thereto, and the following exhibits were presented for the record:

- 1. Staff Report with Attachments, August 1, 2012.
- 2. Site Plans
- 3. Correspondence received in opposition to the project:
  - a. Paula Westbury, Santa Barbara, CA.

## NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

- I. Approved the Modification making the findings and determinations that it is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed garden wall, pillars and entry gate is appropriate because only a small portion of the wall exceeds the allowable height and is angled in such a way that it does not block a driver's view of pedestrians on the sidewalk or oncoming traffic, consistent with purpose and intent of the height requirements for fences and walls in this location.
- II. Said approval is subject to the condition that the vegetation in front of the wall, within ten feet of the front property line and within ten feet of the driveway for a distance of 20 feet back from the front property line, shall be a variety that does not exceed 3½ feet in height at maturity. Vegetation in this area shall be trimmed and maintained to not exceed 3½ feet in height.

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This motion was passed and adopted on the 8<sup>th</sup> day of August 2012, by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.

8/8/12

Kathleen Goo, Commission Secretary

## PLEASE BE ADVISED:

- 1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
- 2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
- 3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
- 4. Subsequent to the outcome of any appeal action your next administrative step should be to apply for Single Family Design Board (SFDB) approval and then a building permit.
- 5. PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit. The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
- 6. <u>NOTICE OF APPROVAL TIME LIMITS</u>: The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
  - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
  - b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
    - i. an Issuance of a Certificate of Occupancy for the use, or;
    - ii. one (1) year from granting the approval.